

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2322

BY DELEGATES UPSON AND BLAIR

[Introduced February 10, 2017; Referred
to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §15-12-11, relating to sex offender registrants; prohibiting Halloween related
 3 contact with children; and providing a misdemeanor criminal penalty.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §15-12-11, to read as follows:

ARTICLE 12. SEX OFFENDER REGISTRATION ACT.

§15-12-11. Halloween, restrictions on conduct; violations; penalty.

1 (a) All registrants, including those for whom there has been no change in registration
 2 information since their initial registration or previous address verification, shall on October 31 of
 3 each year:

4 (1) Avoid all Halloween related contact with children;

5 (2) Remain inside the registrant’s residence between the hours of 5 p. m. and 10:30 p. m.
 6 unless required to be elsewhere for just cause including, but not limited to, employment or medical
 7 emergencies;

8 (3) Leave all outside residential lighting off during the evening hours after 5 p.m.

9 (b) Any person required to register as a sex offender under this article who violates this
 10 section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$250
 11 or confined in jail not more than one year, or both fined and confined.

NOTE: The purpose of this bill is to prohibit sex offender registrants from having Halloween related contact with children. The bill also provides a misdemeanor criminal penalty for violations.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.